REMARKS

The non-final Office Action dated March 14, 2005 has been reviewed and carefully considered. Claims 1, 16, 31 and 46 have been amended. Claims 1-6, 8-11, 13-21, 23-26, 28-36, 38-41 and 47-50 are pending in the application.

On page two of the Office Action, Claims 1-5, 16-20, 31-35, and 46-49 were rejected under § 102(e) over Yacoub (U.S. Patent No. 6,552,813).

On page five of the Office Action, Claims 6, 8-11, 21, 23-26, 36, 38-41, and 50 were rejected under § 103(a) over Yacoub as described in claim 16 above, and in view of Nagata (JP 411110163).

On page seven of the Office Action, Claims 13-15, 28-30, and 43-45 were rejected under § 103(a) over Yacoub and Nagata described in Claims 21-22 and 27 above, and in view of Olsen et al. (U.S. Published Application No. 2002/0016921).

Applicants respectfully traverse the §§ 102(e) and 103(a) rejections, but in the interest of expediting prosecution have amended the claims. As recited in independent claims, job description attributes of a print job being received on a print channel are examined and the attribute of the print job is identified. An attribute of the print channel associated with the incoming print job is also identified. The incoming print job is processed based upon the job description attribute of the incoming print job and the identification of the attribute of the print channel receiving the print job.

In contrast, Yacoub teaches that a user or client uses a command menu or graphical user interface (GUI) menu to select the parameters of a print job, e.g., such as speed, quality and either color or black and white. The print job is then spooled to a server, wherein the server decides which printer is available to print the job (step 340) "using the user's preferences selected

from the GUI or command menu." The server will have a map of all available printers along with the status of each printer. The server can also take into account the physical location of the user and find the printer nearest to the user, which complies with the print job preferences of the user. Once the appropriate printer is found, the print job is sent and spooled to that printer (step 350).

Thus, Yacoub is limited to a server examining attributes assigned to a print job by a user. Yacoub fails to disclose, teach or suggest identifying an attribute of the print channel associated with the incoming print job. Yacoub fails to disclose, teach or suggest processing the incoming print job based upon "both" the job description attribute of the incoming print job and the identification of the attribute of the print channel receiving the print job.

Further, as admitted in the Office Action, Yacoub teaches that all the print jobs in Yacoub MUST SPOOL. Thus, Yacoub does not make determinations about the attributes of print channels.

With respect to the § 103(a) rejections, Applicants submit that Yacoub teaches away from Applicants' Application. All print jobs in Yacoub MUST SPOOL. Applicants require "determining when attributes of a print channel associated with the incoming print job comprise MUST PRINT, MUST SPOOL or MAY SPOOL." Because all print jobs MUST SPOOL in Yacoub, no determination step is contemplated in Yacoub because no determination needs to be made when attributes of a print channel comprise MUST PRINT, or MUST SPOOL, or MAY SPOOL.

Nagata fails to remedy the deficiencies of Yacoub. Nagata is cited merely for the purpose of teaching a print processor having "a spool-processing means to hold the printed output data sent through a network from the host terminal." Nagata emphasizes aspects of output

data and discusses data sent through a network only to the extent that data must be sent through a path to spool processing means. Nagata does not suggest examining job description attributes of a print job being received on a print channel and identifying the attribute of the print job, identifying an attribute of ~~a~~ the print channel associated with the incoming print job and processing the incoming print job based upon the job description attribute of the incoming print job and the identification of the attribute of the print channel receiving the print job. Therefore, Nagata and Yacoub, alone or in combination, fail to disclose, teach or suggest Applicants' invention as recited in the independent claims.

Olsen too fails to remedy the deficiencies of both Yacoub and Nagata. Olsen is merely cited for the purpose of teaching a "system and method for ensuring secure transfer of a document from a client of a network to a printer." Olson, like Nagata and Yacoub, fails to suggest examining job description attributes of a print job being received on a print channel and identifying the attribute of the print job, identifying an attribute of ~~a~~ the print channel associated with the incoming print job and processing the incoming print job based upon the job description attribute of the incoming print job and the identification of the attribute of the print channel receiving the print job. Therefore, Olsen, Nagata and Yacoub, alone or in combination, fail to disclose, teach or suggest Applicants' invention as recited in the independent claims.

In addition, the alleged motivation for modifying Yacoub with Nagata and Nagata in view of Olsen is conclusory, based on hindsight and therefore, improper. The alleged motivation for both combinations is "it would have been obvious . . . to use the printers efficiently and to reduce printed output time (Nagata, par. 5 of English translation)" This alleged motivation merely states an advantage of Nagata's print processing methods. No clear and particular evidence is provided that would motivate one to modify Yacoub's system. Yacoub's system is

presumably adequate for its intended purpose, and no evidence is provided to indicate any deficiencies in Yacoub's system. Thus, the alleged motivation is merely a reconstruction of the claim limitations based on hindsight.

Dependent claims 2-6, 8-11, 13-15, 17-21, 23-26, 28-30, 32-36 38-41, 43-45 and 47-50 are also patentable over the references, because they incorporate all of the limitations of the corresponding independent claims 1, 16, 31 and 46. Further dependent claims 2-6, 8-11, 13-15, 17-21, 23-26, 28-30, 32-36 38-41, 43-45 and 47-50 recite additional novel elements and limitations. Applicants reserve the right to argue independently the patentability of these additional novel aspects. Therefore, Applicants respectfully submit that dependent claims 2-6, 8-11, 13-15, 17-21, 23-26, 28-30, 32-36 38-41, 43-45 and 47-50 are patentable over the cited references.

On the basis of the above amendments and remarks, it is respectfully submitted that the claims are in immediate condition for allowance. Accordingly, reconsideration of this application and its allowance are requested. Please charge/credit Deposit Account No. 50-0996 (IBMN.010US01) for any deficiencies/overpayments.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Attorney for Applicants, David W. Lynch, at 651-686-6633 Ext. 116.

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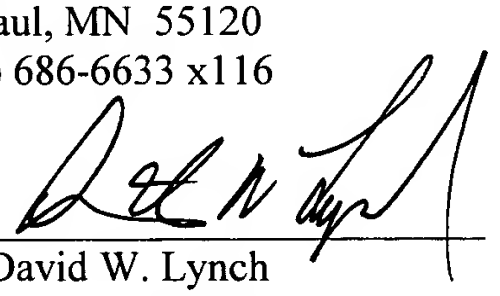
By: 
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